



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

March 15, 2013

Whitworth Water District #2  
10828 North Waikiki  
Spokane, Washington 99218

COPY

Dear Ms. McGeorge:

Re: Application for Change/Transfer under Ground Water Certificate G3-26227C (SPOK-11-18)

On January 30, 2013 our office received from the Spokane County Water Conservancy Board a Record of Decision for the above referenced application for change/transfer. In accordance with RCW 90.80.080 the Department of Ecology has reviewed the Record of Decision and Report of Examination and has considered all comments, protest, objections, and other relevant information.

The Department has **modified** the decision of the Board and the proposed change/transfer of water right is **approved** under the following conditions:

**Summary of Ecology's Final Order**

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE 250	MAXIMUM ACRE-FT/YR 400	TYPE OF USE, PERIOD OF USE <b>Continuous Municipal Supply</b>				
SOURCE <b>One (1) Well</b>			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: <b>Well #8C</b>	$\frac{1}{4}$ <b>NE<math>\frac{1}{4}</math></b>	$\frac{1}{4}$ <b>SE<math>\frac{1}{4}</math></b>	SECTION <b>32</b>	TOWNSHIP N. <b>27N</b>	RANGE <b>43E</b>	WRIA <b>55</b>	COUNTY. <b>Spokane</b>
<b>LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED</b>							
The place of use (POU) of this water right is the service area described in the most recent Water System Plan approved by the Washington State Department of Health, so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.							
PARCEL NO.	$\frac{1}{4}$	$\frac{1}{4}$	SECTION	TOWNSHIP	RANGE		



On page 2 of the Report of Examination under the heading "**BACKGROUND**" the last sentence of the first paragraph reads: "The application for change proposes to change the point of withdrawal from the Mountain View well located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 34, T. 26 N., R. 27 E.W.M. to the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 32, T. 27N., R. 43EWM." **Ecology modifies this sentence to read: The application for change/transfer proposes to change the point of withdrawal from the Mountain View well (decommissioned) located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 34, T. 27 N., R. 43 E.W.M. to Whitworth's Well # 8C (AGC-037) located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 32, T. 27N., R. 43EWM.**

On page 2 of the Report of Examination under the heading "**BACKGROUND**" and sub-heading "*Attributes of the water right as currently documented*" list the "**Point of diversion/withdrawal**" as located in the "SE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 34, T. 26N., R. 27 E.W.M. Parcel # 37342.0113 no well tag." **Ecology modifies this legal to read; SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 34, T. 27 N., R. 43 E.W.M.**

On page 2 of the Report of Examination under the heading "**BACKGROUND**" and sub-heading "*Attributes of the water right as currently documented*" list the "**Place of use**" as "Meadow View Addition (Preliminary Plat) located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 34 and the area served by Colbert Water District No. 9." **Ecology modifies this place of use to read: "Meadow View Addition (Preliminary Plat) located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 34 and the area served by Colbert Water District No. 9.**

On page 4 of the Report of Examination under the heading "**Tentative Determination**" the last sentence of the first paragraph reads: "The water under Ground Water Certificate G3-26227C is currently being used under the existing authorized point of withdrawal and is in good standing." **Ecology deletes this sentence because it is a false statement. The authorized well was decommissioned back in 1993.**

On page 4 of the Report of Examination under the heading "**Relinquishment or abandonment concerns**" the first sentence reads: "Groundwater Certificate G3-26227C purpose is continuous municipal supply and is not subject to relinquishment." **Ecology modifies this sentence to read: Ground Water Certificate G3-26227C was issued for community domestic supply and therefore subject to relinquishment for non-use. Certificate G3-26227C has continually used to serve the area within the old Colbert Water District #9. Whitworth Water District #2 took over the small water system in 1983 and has continued to deliver water for domestic use.**

On page 4 of the Report of Examination under the heading "**Public Interest**" the last sentence of the first paragraph reads: "The Whitworth Water District #2 is a municipal water supplier with the most recently approved water system plan." **Ecology modifies this sentence to read; The Whitworth Water District #2 qualifies as a municipal water supplier as defined under RCW 90.03.015 and have a current approved water system plan by the Department of Health.**

On page 4 of the Report of Examination under "**DECISION**" the first paragraph reads: "Ground Water Certificate G3-26227C is valid and approved for the transfer of 250 gpm, 400 acre feet per year to the Whitworth Water District #2 for continuous municipal supply. **Ecology modifies this paragraph to read: Ground Water Certificate G3-26227C is valid and approved for the transfer of 250 gallons per minute, 400 acre-feet per year for Continuous Municipal Supply, change the point of withdrawal to Well #8C located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 32, T. 27 N., R. 43 E.W.M. and change the place of use to the area served by Whitworth Water District #2.**

On page 5 of the Report of Examination under the heading "**Conditions and limitations**" paragraph eight reads: "The geographic area served by the City of Deer Park is defined by regulations and management programs administered by other state and local jurisdictions. The place of use is defined on this water right shall be that established area." **Ecology deletes this paragraph.**

On page 5 of the Report of Examination under the heading "**Conditions and limitations**" paragraph twelve reads: "A well log of the completed well shall be submitted by the driller to the Department of Ecology within thirty (30) days of the completion of this well. This well log shall be complete and all information concerning the static water level in the completed well in addition to any pump test data shall be submitted as it is obtained. **Ecology deletes this paragraph because the well has already been completed and the well log is on file with the Department of Ecology.**

#### **YOUR RIGHT TO APPEAL**

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

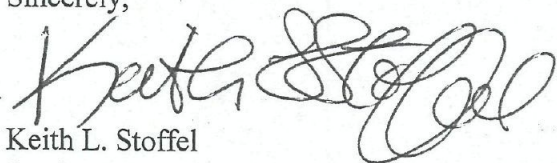
Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov> . To find laws and agency rules visit the Washington State Legislature Website: <http://www1.leg.wa.gov/CodeReviser> .

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If you have any questions, please contact Herman Spangle at 509-329-3488.

Sincerely,



Keith L. Stoffel  
Section Manager  
Water Resources Program  
Eastern Regional Office

KLS/HS:md

W: ROD/Spangle/2013/Whitworth Water Dist G3-26227C 3-15-2013.doc

Enclosures: *Your Right to Be Heard*

cc: Spokane County Water Conservancy Board, P.O. Box 13496, Spokane, WA 99213-3496

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**SPOKANE WA 99218**

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C. Date of Delivery **3/15/13**

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